

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 4/21/08

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POWERFUL KATINKA, INC. d/b/a PEARL
OYSTER BAR,

Plaintiff,

-against-

EDWARD MCFARLAND & ED'S LOBSTER
BAR, LLC,

Defendants.
----- X

07 Civ. 6036 (SAS) (AJP)

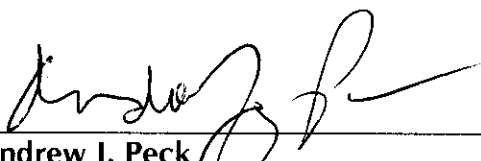
ORDER OF DISMISSAL ON CONSENT

ANDREW J. PECK, United States Magistrate Judge:

The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York
April 21, 2008



Andrew J. Peck
United States Magistrate Judge

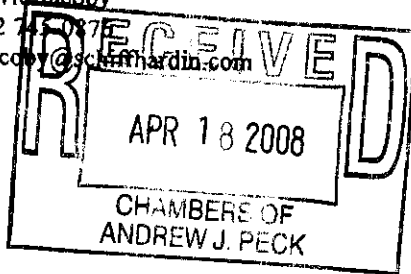
Copies **by fax & ECF** to: David Jacoby, Esq.
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Alon Markowitz, Esq.
L. Peter Parcher, Esq.
Judge Shira A. Scheindlin



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April 18, 2008

BY TELECOPY

Hon. Andrew J. Peck
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, New York

Re: Powerful Katinka, Inc. v. Ed's Lobster Bar LLC
07 CV 6036 (SAS)

Dear Magistrate Judge Peck:

This firm represents plaintiff in the referenced action. Further to the joint telephone call Mr. Serrins, counsel for defendants, and I had with Chambers earlier today, this will confirm that the parties to the referenced action have resolved it, pursuant to a confidential settlement agreement which will not be filed with Court. A stipulation of dismissal also has been signed, but we do not yet have all of the original (rather than facsimile copy) signatures. We anticipate having them by Monday, or Tuesday at the latest, and then filing the stipulation.

Respectfully submitted,

David Jacoby
Alan Serrins
Serrins & Associates
Attorneys for Defendants

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